

JOHN LAMONT LEWIS,
Petitioner,
v.
HERB JACKSON, Supt.,
Respondent.

On April 30, 2010, Petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. On May 12, 2010, this Court dismissed Petitioner's habeas petition as unexhausted. Petitioner has now filed the instant Motion for Certificate of Appealability. After carefully reviewing Petitioner's motion, pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases, this Court declines to issue a certificate of appealability as Petitioner has not made a substantial showing of a denial of a constitutional right. 28 U.S.C. § 2253(c)(2); Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003) (in order to satisfy § 2253(c), a petitioner must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong)(citing Slack v. McDaniel, 529 U.S. 473, 484 (2000)).

THEREFORE, IT IS HEREBY ORDERED that Petitioner's Motion for Certificate of Appealability is **DENIED**.

Signed: May 25, 2010

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

